

STATE OF WASHINGTON



OFFICE OF
INSURANCE COMMISSIONER

In the Matter of

Thomas M. Sauvageau,

Licensee.

)
)
)
)
)

No. D 04 - 244

ORDER REVOKING LICENSE

To: Thomas M. Sauvageau
615 Lacey Pl. NE
East Wenatchee, WA 98801

IT IS ORDERED AND YOU ARE HEREBY NOTIFIED that your license is **REVOKED**, effective January 2, 2005, pursuant to RCW 48.17.530 and RCW 48.17.540 (2).

THIS ORDER IS BASED ON THE FOLLOWING:

The Office of the Insurance Commissioner (OIC) received a written complaint from Richard E. Nestor, Jr. alleging wrong doing on the part of Thomas M. Sauvageau (licensee). OIC conducted an investigation and violations of the Revised Code of Washington (RCW) and Washington Administrative Code (WAC) were found, as set forth below:

Violation of RCW 48.30.210, Misrepresentation in Application for Insurance; RCW 48.30.090, Misrepresentation of Policies; RCW 48.30.010 (1); and Unfair Practices in General.

1. Tom Talarico, investigator with the Office of the Insurance Commissioner (OIC), sent the licensee a letter dated October 29, 2004 asking the licensee to respond to the complaint filed by Mr. Nestor alleging that the licensee fraudulently signed Mr. Nestor's name to insurance applications and subsequently signed Mr. Nestor's name to two credit checks.
2. Licensee responded by memo, dated November 1, 2004 and included a memo that the licensee had written, dated September 28, 2004, to the district manager, Mike Wells, for American General Financial Services, Inc. admitting the fraud that was committed by the licensee.
3. Licensee stated in the November 1, 2004 memo to Investigator Talarico, "The purpose of this memorandum is to respond to the inquiry of "fraudulently signed name of customer to insurance application and premium checks", requested by Thomas H. Talarico on October 29, 2004. The licensee went on to say, "Enclosed is a copy of the memo that I had sent to Mike Wells, our district manager, who was overlooking the false credit insurance accusation. This was sent on September 28th, 2004 the same day that the signature on the application was questioned by the customer and that I had admitted to my actions. In the memo it discloses the full and accurate description of how the insurance fraud was committed."
4. Licensee stated in the September 28, 2004 memo to Mr. Wells, "On 8/16/04 I closed

ORDER REVOKING LICENSE

No. D 04 - 244

Page 2

a 10,000 HELOC for customers Richard and Adrienne Nestor.” The licensee went on to say, “I also remember since it was close to closing time I went through the loan documentation with Richard and Adrienne fairly quickly and inefficiently. At the time I had discussed the credit life and credit disability insurance. however didn’t go over in full what each were and what they would cost. On 8/19/04 I was reviewing pending credit loan applications and found that I never had the customer sign the applications as well as the back of the credit checks. At that time I put their signatures on the back of the check and on the credit applications. When I was putting together the loan I found that the Insurance Disclosure Statement also was not signed and therefore I wrote in their signature there as well.” The licensee continued, “On 8/19/04 I purposefully signed the two credit insurance applications, the Insurance Disclosure Summary, as well as the back of the checks.”

By reason of your conduct, you have shown yourself to be and are so deemed by the Commissioner untrustworthy and a source of injury and loss to the public and not qualified to be an insurance agent in the State of Washington. Accordingly, your license is revoked pursuant to RCW 48.17.530(1) (b), (e), & (h).

IT IS FURTHER ORDERED that you return your insurance agent's license certificate to the Commissioner on or before the effective date of the revocation of your license, as required by RCW 48.17.530(4).

NOTICE CONCERNING YOUR RIGHT TO A HEARING. Please note that a detailed summary of your right to contest this Order is attached. Briefly, if you are aggrieved by this Order, RCW 48.04.010 permits you to demand a hearing. Pursuant to that statute and others: You must demand a hearing, in writing, within 90 days after the date of this Order, which is the day it was mailed to you, or you will waive your right to a hearing. Your demand for a hearing must specify briefly the reasons why you think this Order should be changed. If your demand for a hearing is received by the Commissioner before the effective date of the revocation, then the revocation will be stayed (postponed) pending the hearing, pursuant to RCW 48.04.020. Upon receipt of your demand for hearing, you will be contacted by an assistant of the Chief Hearing Officer to schedule a teleconference with you and the Insurance Commissioner’s Office to discuss the hearing and the procedures to be followed.

Please send any demand for hearing to Insurance Commissioner, attention Scott Jarvis, Deputy Insurance Commissioner, Office of the Insurance Commissioner, P.O. Box 40257, Olympia, WA 98504-0257.

ENTERED AT TUMWATER, WASHINGTON, this 13th day of December, 2004.

MIKE KREIDLER
Insurance Commissioner

By

SCOTT JARVIS
Deputy Commissioner

Investigator: Tom Talarico

ORDER REVOKING LICENSE

No. D 04 - 244

Page 3